

AMENDMENT D

REMARKS

Claims 1-68 are pending in this case. In the amendment hereinabove, independent claims 1, 2, 4, 18, 19, 21, 35, 36, 38, 52, 53 and 55 have been amended. Based upon the following remarks, it is respectfully submitted that, in conformance with the foregoing amendment, all claims are allowable.

A. §112 Rejections

Claims 2, 4, 36 and 38 remained rejected under 35 U.S.C. §112, second paragraph, with reference to M.P.E.P. § 2172.01, as being incomplete for omitting essential elements, i.e., a collimator. These claims have been amended hereinabove to expressly recite a collimator. This rejection is respectfully traversed and it is submitted that these claims are in conformance with 35 U.S.C. §112.

Claims 19, 21, 53 and 55 remained rejected under 35 U.S.C. §112, second paragraph, with reference to M.P.E.P. § 2172.01, as being incomplete for omitting essential steps, i.e., controlling a collimator. These claims have been amended hereinabove to expressly recite controlling of a collimator. This rejection is respectfully traversed and it is submitted that these claims are in conformance with 35 U.S.C. §112.

B. §102 Rejections

Claims 1-4, 9-21, 31-38, 43-55 and 65-68 remained rejected under 35 U.S.C. §102(e) as being anticipated by Alving et al., U.S. Patent No. 6,594,339 ("Alving et al."). This rejection is respectfully traversed and it is submitted that these claims, in conformance with the foregoing amendment, recite subject matter which is not anticipated by and is patentable over *Alving et al.*.

Claims 1-2, 5-16, 18-19, 22-33, 35-36, 39-50, 52-53 and 56-67 remained rejected under 35 U.S.C. §102(e) as being anticipated by Milnes, U.S. Patent No.

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6,463,121 ("*Milnes*"). This rejection is respectfully traversed and it is submitted that these claims, in conformance with the foregoing amendment, recite subject matter which is not anticipated by and is patentable over *Milnes*.

In his "Response to Arguments", the Examiner stated that these rejections had been maintained for the reason that the express recitations of the previously presented claims did not exclude the possibility that the "sub-portion" could be the entire "portion" of the "subject". Independent claims 1, 18, 35 and 52 have been amended hereinabove to expressly recite that "said sub-portion is contained at least in part within said portion and does not consist of all of said portion" (emphasis added). Hence, the "sub-portion" cannot be the entire "portion" of the "subject".

Accordingly, it is respectfully submitted that the concerns of the Examiner have been conclusively addressed, and the claims as now presented are allowable over *Alving et al.* and *Milnes*, and further that, in view of the previous amendment and remarks, these claims present no new issues which would require further consideration or search. Therefore, it is submitted that this amendment can be entered and all claims be allowed to proceed to issuance.

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C. Conclusion

Claims 1-68 remain pending in this case. Based upon the foregoing amendment and remarks, it is respectfully submitted that these claims are allowable, and reconsideration and early allowance of these claims are requested.

Respectfully submitted,

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